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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,374	04/01/2004	Christoph Becke	ZTP01P14043	9753
24131 75	590 04/07/2005		EXAMINER	
LERNER AND GREENBERG, PA			HANSEN, JAMES ORVILLE	
P O BOX 2480 HOLLYWOOD, FL 33022-2480			ART UNIT	PAPER NUMBER
	,		3637	
			DATE MAILED: 04/07/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
065 4-45 0	10/816,374	BECKE ET AL.				
Office Action Summary	Examiner	Art Unit				
	James O. Hansen	3637				
The MAILING DATE of this communication a Period for Reply	ppears on the cover sheet with the	o correspondence address				
A SHORTENED STATUTORY PERIOD FOR REP THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a re - If NO period for reply is specified above, the maximum statutory perion. - Failure to reply within the set or extended period for reply will, by state any reply received by the Office later than three months after the main earned patent term adjustment. See 37 CFR 1.704(b).	1.136(a). In no event, however, may a reply be eply within the statutory minimum of thirty (30) od will apply and will expire SIX (6) MONTHS froute, cause the application to become ABANDO	timely filed lays will be considered timely. om the mailing date of this communication. NED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 27	December 2004.					
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· <u>=</u>	,—					
,	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4) ☐ Claim(s) 1-8 is/are pending in the application 4a) Of the above claim(s) 7 and 8 is/are without 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-6 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and	drawn from consideration.					
Application Papers						
9)☐ The specification is objected to by the Examin	ner.					
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the	ne drawing(s) be held in abeyance. S	See 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the	•	• • • • • • • • • • • • • • • • • • • •				
Priority under 35 U.S.C. § 119		•				
a) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the priority docume application from the International Bure * See the attached detailed Office action for a list	ents have been received. Ints have been received in Application of the properties o	ation No ived in this National Stage				
Attachment(s)	4.□	(DTO 442)				
I) ☑ Notice of References Cited (PTO-892) ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summa Paper No(s)/Mail					
Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date		l Patent Application (PTO-152)				

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DETAILED ACTION

Election/Restrictions

1. Claims 7 & 8 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on December 27, 2004.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 3. Claims 1-2 & 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Olsson [U.S. Patent No. 3,220,558]. Olsson (figures 1-6) teaches of a storage compartment for a refrigerator door, the compartment comprising: a box-shaped body (316 along with 14 for example) having a longitudinal wall (318b) and a given depth; and a compartment divider (319) attached to the wall and extending over more than half of the given depth (fig. 6), the divider defining a chamber (at areas 22) capable of holding small items. The divider being capable of extending substantially entirely over the given depth (note fig. 1 for example). The compartment having at least one sidewall (see notched sections of the sidewall fig 1.) with a concave shape (top of the

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notch) in a direction of the given depth. The chamber having an open base (note fig. 3). The divider having a given height that is less than that of the box-shaped body (when not attached to the body).

- 4. Claims 1-3 & 6 are rejected under 35 U.S.C. 102(b) as being anticipated by European publication 611,930 [EP'930]. EP'930 (figures 1-5) teaches of a storage compartment for a refrigerator door, the compartment comprising: a box-shaped body (2 fig. 1) having a longitudinal wall (5) and a given depth; and a compartment divider (11) attached to the wall and extending over more than half of the given depth (fig. 2), the divider defining a chamber (23) capable of holding small items. The divider being capable of extending substantially entirely over the given depth. An extent of the divider in a direction of the given depth of the body being greater than in a width direction. The divider having a given height that is less than that of the box-shaped body (note rear wall for example).
- 5. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by German publication 9014463 [DE'463]. DE'463 (figures 1-4) teaches of a storage compartment for a refrigerator door, the compartment comprising: a box-shaped body (20) having a longitudinal wall (rear wall 24) and a given depth; and a compartment divider (31) attached to the wall and extending over more than half of the given depth (fig. 6), the divider defining a chamber (on each side of the divider) capable of holding small items. The divider being capable of extending substantially entirely over the given depth (note fig. 2 for example). An extent of the divider in a direction of the given depth of the body being greater than in a width direction. The compartment having at least one sidewall (note the sides of the divider near the section where part 31 and part 22 meet) with a concave shape in a direction of the given depth. The chamber having an open

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base (note fig. 2). The divider having a given height that is less than that of the box-shaped body (fig. 4).

6. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by
Japanese publication 2001-116439 [JP'439]. JP'439 (figures 1-5) teaches of a storage
compartment for a refrigerator door, the compartment comprising: a box-shaped body
(2) having a longitudinal wall (either front or rear wall) and a given depth; and a
compartment divider (3 or 4) attached to the wall and extending over more than half of
the given depth (fig. 3), the divider defining a chamber (two chambers shown) capable
of holding small items. The divider being capable of extending substantially entirely
over the given depth (note fig. 2 for example). An extent of the divider in a direction of
the given depth of the body being greater than in a width direction. The compartment
having at least one sidewall (note the two sides of the chamber for example) with a
concave shape in a direction of the given depth. The chamber having an open base
(note fig. 3). The divider having a given height that is less than that of the box-shaped
body (fig. 3).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Japanese publications 2000-65466 & 8-49964 describe storage compartments for refrigerator doors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 571-272-6866. The examiner can normally be reached on Monday-Friday between 8-4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James O. Hansen Primary Examiner Art Unit 3637

James D. Hamm

JOH April 1, 2005